

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

KANDARP A. MAJMUNDAR,

Plaintiff,

v.

BRUCE E. CHADBOURNE,
DIRECTOR, B.C.I.S.,

Defendant.

Civil Action No. 04-11391-WGY

DEFENDANT'S MOTION FOR ENLARGEMENT OF TIME TO ANSWER COMPLAINT

Defendant respectfully moves for a 9 day enlargement of time to answer the Plaintiff's Complaint up to and including November 10, 2004. Good cause exists for this Motion. The relief requested by the Plaintiff, action on the Plaintiff's Application For Naturalization (N-400 Application), is in the process of being finalized and the Department of Homeland Security (DHS), through the United States Citizenship & Immigration Services (USCIS) agency, expects to issue its determination to the Plaintiff on or before November 5, 2004. If the Defendant acts in accordance with this schedule the need for the relief requested by the Plaintiff will be moot and, if necessary, the Plaintiff will be able to adjudicate the matter administratively before the DHS.

Accordingly, Defendant respectfully requests that the Court allow Defendant a 9 day enlargement of time to answer Plaintiff's Complaint up to and including, November 10, 2004.

Respectfully submitted,

For the Defendant,
BRUCE E. CHADBOURNE,
Director, B.C.I.S.

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Anton P. Giedt 11/01/04

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LOCAL RULE 7.1 CERTIFICATE

I, Anton P. Giedt, Assistant U.S. Attorney, hereby certify that I attempted to confer with Plaintiff's counsel of record by telephone in an effort to resolve the issues raised in this Motion but was unable to contact counsel before it was necessary to file this Motion due to Plaintiff's counsel being out of office until 11/3/04.

/s/ Anton P. Giedt 11/01/04
Anton P. Giedt
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

Suffolk, ss.

Boston, Massachusetts
DATE: November 1, 2004

I, Anton P. Giedt, Assistant U.S. Attorney, do hereby certify that I have this day served a copy of the foregoing upon Plaintiff's counsel of record electronically and by First Class Mail by placing said copy in the mail room of the U.S. Attorney's Office.

/s/ Anton P. Giedt
Anton P. Giedt
Assistant U.S. Attorney

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